

Remarks on HB-326
February 14, 2013
Jane Weber, Cascade County Commissioner

EXHIBIT 10
DATE 2/14
HB 326

Good afternoon Madam Chairman, members of the committee, my name is Jane Weber, spelled W-E-B-E-R. I am a Cascade County Commissioner. This bill was recently brought to my attention by a constituent, and because I have been out-of-town this week, I was unable to caucus with my fellow commissioners. Therefore, I am here representing myself as one county commissioner in opposition to this bill.

HB 326 is an unnecessary bill. There are consequences that have not been revealed to you and warrant your consideration during deliberations.

Working with fellow government agencies (federal) or in this case (state) is about relationship-building. I need not remind us on this Valentine's Day that love and marriage is a commitment to a relationship. It is a two-way street, built on trust. Most days are blissful, other times a bit rocky. Some of us choose to give up, others rebuild, repent or renew that relationship. HB 326 does NOT encourage a blissful relationship, but thrusts a process onto agencies unnecessarily – severing the opportunity for open dialogue and replacing it with defensive posturing.

This bill is unnecessary. WHY? Because by building relationships, coordination happens. In Cascade County, we work with state agencies on a routine basis. Let me give one example. The Montana Department of Transportation intended to deconstruct an historic depot in Monarch, and unincorporated community in my county. The community wants it preserved as a tourist stop and is willing to manage it. With one phone call, we scheduled an onsite review with the regional director and his staff – attending were a county commissioner and 20 members of the community. We've been making progress to retain the structure and we are working with a federal agency (the Forest Service) to partner on its restoration. I picked up the phone last week and called Director Tooley's office to arrange a meeting with the county commission, our preservation officer and a community member to brief him on the project and resolve a land issue. It took one phone call to arrange this meeting. As a courtesy, I emailed the local regional supervisor to schedule a briefing in advance of our meeting with his Director and it was arranged within hours.

In the last two days at our MACo meetings, we have met the new agency directors. Just yesterday, Director Stone-Manning told the county commissioners, "if you have a problem, call me directly." Several of the directors made this same statement and shared their direct line phone number with us. I ask you, does that appear to be resistance to coordination?

My response to those who feel coordination must be mandated is this: pick up the phone, send an email, knock on a door, discuss your concerns, in essence - coordinate. It's a two-way street.

Three other reasons to oppose this bill:

1. **It will cost money.** State agencies would be forced to hold unnecessary public hearings and formalize a process that already works if counties would simply establish relationships rather than creating what I'll characterize as a "pre-nuptial agreement." Pre- Nuptial agreements are based on distrust. Is that the type of relationship we want with our fellow agencies? I think not.
2. **HB 326 will bottleneck state government.** The bill is presented to give the appearance that mandated coordination will create efficiencies. Far from it. If you consider the future consequences of this bill, one can see that it has the power to block decisions, create controversy and seriously slow state government. The idea of mandated "coordination" sounds benign, but comes with ulterior motives that can destroy relationships and bottleneck state government. "Coordinate" is a buzz word for CONTROL.

Bogging down state government will cost the state business development. When businesses require a permit or review before moving forward, how much time will our state agencies be spending on time-consuming "coordination" instead of permit review?

Montana counties complain about the length of time it takes to get a gravel pit permit from DEQ now. The DEQ staff has assured the Counties this process has been reduced from 9 months to 90 days – but HB 326 will divert staff time to "coordination" instead of the regular business of state government, defeating that success.

What about counties who complain now about environmental groups for delay tactics? They complain when logging, coal development or energy transmission projects are protested by these groups. Those counties may find those same environmental groups knocking on their doors demanding a county request coordination status. The result? Counties pressured to coordinate and delay solid business ventures. This bill could cause potential businesses to look to WY, ID, or ND who may be more "business-friendly."

3. **Counties lack the staff to knowledgeably respond.** The responsibilities of many of our state agencies requires expertise in areas that Counties are ill-equipped to control. Cascade County does not have wildlife biologists, environmental engineers, hydrologists, or the like on our staffs. County commissioners should NOT be controlling the decisions of the state. We can identify the potential economic impacts or policy conflicts, but we simply do not have the expertise to control the mission-driven decisions of many state agencies.

I ask you to oppose HB 326. Relationships should NOT be legislated. Building and maintaining relationships is the job of the County Commissioners, not yours.